IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 787 of 2005

Between:

Sk. Muneer, S/o. Sk. Nazir,
R/o. Chinnareddykandriga Village,

Doravarisatram Mandal, Nellore District. ..... PETITIONER

AND

1 The Revenue Divisional Officer, Gudur, Nellore District.
2 The Mandal Revenue Officer, Doravarisatram Mandal,

Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order, direction or writ, more particularly one in the nature of Writ of Mandamus declaring the action of the 1st respondent in not passing any orders either on stay petition or on appeal filed before him U/s. 4-A of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 against the orders of the 2nd respondent in Rc.B.No.302/04, dt. 20-9-2004, where under an extent of Ac.2.00 of dry land comprised in Sy.No. 104-10 of Yekollu Village, Doravarisatram Mandal, Nellore district belong to the petitioner is resumed to the Government as illegal, arbitrary, violative of principles of natural justice and contrary to the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 and consequently set-aside the

order of the 2nd respondent.

Counsel for the Petitioner : Mr.V.SUDHAKAR REDDY

Counsel for the Respondents : G.P. FOR REVENUE

The Court made the following :

THE HON'BLE SRI JUSTICE N.V.RAMANA

W.P.No. 787 of 2005

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for the Respondents and both of them agreed for disposal of the writ petition at the stage of admission.

The petitioner claims to be owner of Ac.2-00 patta land in Survey No.104-10 of Yekollu village, D.V.Satram Mandal, Nellore district and he has been in possession of the property and his name was also mutated in the revenue records. It is stated that the second respondent by his proceedings dated 20.9.2004 resumed the lands. Aggrieved thereby, petitioners said to have filed appeal before the first respondent together with an application for stay of the order of resumption. The grievance of the petitioners in this writ petition is that the first respondent has not passed any orders either on the appeal or on the stay application, and pending same, the respondents are trying to evict the petitioners from the land in question. Hence the writ petition.

Since the appeal filed by the petitioners is pending before the first respondent, I deem it appropriate to dispose of the writ petition directing the first respondent to consider and dispose of the appeal preferred by the petitioners, and pass appropriate orders thereon in accordance with law. Till passing of orders on the said appeal or the stay application by the first respondent, status quo obtaining as on today shall be maintained by the parties in respect of the land in question.

With the above directions, the writ petiton is disposed of. No costs.

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N.V.RAMANA, J

Date: 25.1.2005

Note: Wire at Party's costs.

B/o

DA/KSR

To

1 The Revenue Divisional Officer, Gudur, Nellore District.
2 The Mandal Revenue Officer, Doravarisatram Mandal,

Nellore District.

3 Two CCs to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT).

4 Two CD copies.